PATENT APPLICATION

ATTORNEY DOCKET NO. 10017408-1

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

Perner, et al.

Confirmation No.: 9371

Application No.: 10/657,385

Examiner: Anh K. Phung

Filing Date:

9/8/03

Group Art Unit: 2824

Title:

Data Storage Device and Method of Forming the Same

Mail Stop Amendment **Commissioner for Patents** PO Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

() under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)

() under 37 CFR 1.97 (c) together with either a:

() Statement under 37 CFR 1.97(e), or

a \$180.00 fee under 37 CFR 1.17(p), or

(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)

(X) under 37 CFR 1.97 (d) together with a:

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(X) Statement under 37 CFR 1.97(e)(1) or (2), and

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180.00 DA

(X) a \$180.00 fee set forth in 37 CFR 1.17(p). (Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account 08-2025 the sum of \$180.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25.

- Applicant(s) submit herewith Form PTO 1449 Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.
- (X) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

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Stephanie Ruley

Typed Name: Stephanie Riley

Respectfully submitted,

Perner, et al.

M. Paul Qualey, Jr

Attorney/Agent for Applicant(s)

Reg. No. 43,024

Date: 8/3/05

Telephone No.: (770) 933-9500

Rev 12/04 (IDSCERT)

PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. RADEMA Complete if Known Substitute for form Application Number 10/657,385 Filing Date 9/8/03 INFORMATION DISCLOSURE First Named Inventor Perner STATEMENT BY APPLICANT Art Unit

(Use as many sheets as necessary) Examiner Name Attorney Docket Number 10017408-1 Sheet 1 of 1

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U. S. PATENT DOCUMENTS Cite Document Number Publication Date Name of Patentee or Pages, Columns, Lines, Where Examiner MM-DD-YYYY Applicant of Cited Document Relevant Passages or Relevant Number-Kind Code² (# known) Figures Appear ^{US-} 6,356,477 3/12/02 Tran ^{US-} 6,456,524 9/24/92 Perner, et al. US-US-US ŲS-US-US-US-US-US-US-US-LIS-US-US-US-

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document Publication Date MM-DD-YYYY Country Code³ 'Number ⁴ 'Kind Code⁵ (if known)		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages		
			41	Or Relevant Figures Appear	Τ'		
		Foreign Search Rep.	5/19/05				
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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STATEMENT UNDER 37 CFR 1.97(e)

Sir:

The undersigned hereby certifies that either:

- Each item of information contained in the Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- () No item of information contained in the Information Disclosure Statement
 - -- was cited in a communication from a foreign patent office in a counterpart foreign application, and
 - -- to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Perner, et al

M. Paul Qualey,

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43,024

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